

AARON D. FORD
Attorney General
Allison Herr (NV Bar No. 5383)
Senior Deputy Attorney General
State of Nevada
Office of the Attorney General
555 E. Washington Ave., #3900
Las Vegas, NV 89101
(702) 486-3825 (phone)
(702) 486-2377 (fax)
AHerr@ag.nv.gov
Attorneys for Respondents

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MELANIE OCHS,

Petitioner,

vs.

JERRY HOWELL, et al.,

Respondents.

Case No. 2:16-cv-00982-JCM-DJA

**STIPULATED EXTENSION OF TIME FOR
COMPLIANCE WITH JANUARY 17, 2023
ORDER (ECF NO. 66)**

(First Request)

On January 17, 2023, this Court entered its final judgment (ECF No. 67), granting in part Melanie Ochs's Amended Petition for Writ of Habeas Corpus (ECF No. 18), and enforcing the Ninth Circuit Court of Appeals decision to reverse Melanie Ochs state conviction for first-degree murder (ECF No. 62). This Court instructed:

Petitioner Melanie Ochs shall be released from all custody and/or other restraints, including parole or other supervision, unless the state, through the respondents, files a written election in this matter within 30 days of the date of this order of its intention to retry Ochs and thereafter commences jury selection in the retrial within 120 days following the election to retry Ochs, subject to reasonable requests for modification of the time periods.

ECF No. 66.

The expiration of the time to file a written election of the intent to retry Ochs will expire on February 16, 2023. However, good cause exists to extend the deadlines established by the Court.

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IT IS HEREBY STIPULATED AND AGREED that:

1. Undersigned counsel for Melanie Ochs has met in person on one occasion and has additionally conferred via email with Clark County Chief Deputy District Attorney Dena Rinetti regarding this case. The parties have made progress on agreeing to a just result in Ms. Ochs's state proceedings; however, the parties have not been able to complete these conversations and additional time is required in the interest of justice.

2. The parties agreed to ask that this Court extend the deadline to file the notice of the intent to retry Melanie Ochs by thirty-two days, or until Monday, March 20, 2023; and that the deadline to commence jury selection also continue for 120 days following the filing of the election to retry, so that they may continue these discussions.

Dated this February 15, 2023

Dated this February 15, 2023

RENE L. VALLADARES
Federal Public Defender

AARON D. FORD
Attorney General

/s/ Amelia Bizzaro
Amelia L. Bizzaro
Assistant Chief Federal Public Defender
411 E. Bonneville Ave., Ste 250
Las Vegas, NV 89101
Attorney for Petitioner


/s/ Allison Herr
Allison L. Herr (NV Bar No. 5383)
Senior Deputy Attorney General
555 E. Washington Ave., Ste 3900
Las Vegas, NV 89101
Attorney for Respondent

ORDER OF THE COURT

The parties have submitted a stipulation requesting this Court to extend the deadlines in its January 17, 2023, order by thirty days. Based on this stipulation and for good cause shown:

IT IS HEREBY ORDERED that the deadlines The parties agreed to ask that this Court extend the deadline to file the notice of the intent to retry Melanie Ochs by thirty-two days, or until Monday, March 20, 2023; and that the deadline to commence jury selection also continue for 120 days following the filing of the election to retry, so that they may continue these discussions.

Dated February 17, 2023.



JAMES C. MAHAN
UNITED STATES DISTRICT JUDGE